

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Re: Application of: **Martin DAFERNER, et al.**

Serial No.: 10/552,355

Filed: October 6, 2005 as national phase of International Patent Appl.
Serial No. PCT/EP2004/001732, filed Feb. 21, 2004

For: METHOD FOR CONTROLLING AND PLANNING THE
ORDER OF PRODUCTION

Mail Stop: PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

February 8, 2007

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Sir:

In response to the Notification of Missing Requirements, dated December 8, 2006, a copy of which is enclosed, please find a copy of an executed Declaration/Power of Attorney form signed by the inventor, an English translation of the Application and a check in the amount of \$760.00 covering the filing surcharge of \$130.00 under 37 C.F.R. §1.492(i) for providing the translation late, the filing surcharge of \$130.00 under 37 C.F.R. §1.492(h) for late submission of the oath/declaration, and a fee of \$500.00 for additional claims in excess of twenty. Also submitted herewith is a first preliminary amendment.

If any additional fees are deemed to be due at this time, the Assistant Commissioner is authorized to charge payment of the same to Deposit Account No. 50-0552.

02/16/2007 MKAYPAGH 00000013 10552355

01 FC:1617	130.00	OP
02 FC:1618	130.00	OP
03 FC:1615	500.00	OP

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

By



William C. Gehris, Reg. No. 38,156

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 COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, VA 22313-1450

In re application of: **Martin DAFERNER**
 Application No.: **10/552,355**
 Filed: **October 6, 2005 as national phase of International Patent Appl. Serial No.
 PCT/EP2004/001732, filed Feb. 21, 2004**
 For: **METHOD FOR CONTROLLING AND PLANNING THE ORDER OF PRODUCTION**

Sir:

Transmitted herewith is a **Response to Notification of Missing Requirements (1 page)** in the above-identified application.

- [] Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.
- [] Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.
- [] No fee for additional claims is required.
- A filing fee for additional claims calculated as shown below, is required:

(Col. 1)	(Col. 2)		SMALL ENTITY RATE	LARGE ENTITY RATE	OR
	FOR:	REMAINING	HIGHEST		
	AFTER	PREVIOUSLY	PRESENT		
TOTAL CLAIMS	30 Minus 20	=	10	x \$ 25	\$ 500.00
INDEP. CLAIMS	2 Minus 3	=	0	x \$100	\$200
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$180	\$360
				TOTAL: \$	TOTAL: \$500.00
				OR	

- * If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

- Also transmitted herewith are:
 - [] Petition for extension under 37 C.F.R. 1.136
 - Other: **Copy of Notification of Missing Requirements (2 pages); Copy of signed declaration (1 page); English translation of the application (57 pages); First Preliminary Amendment (18 pages)**
- Check(s) in the amount of **\$760.00** is/are attached to cover:
 - Filing fee for additional claims under 37 C.F.R. 1.16
 - [] Petition fee for extension under 37 C.F.R. 1.136
 - Other: **Fees under 37 C.F.R. §1.492(i) and 37 C.F.R. §1.492(h)**
- The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
 - Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
 - Any patent application processing fees under 37 C.F.R. 1.17.
 - Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

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I hereby certify that the documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" with sufficient postage in an envelope addressed to "Mail Stop: PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on February 8, 2007.

DAVIDSON, DAVIDSON & KAPPEL, LLC

BY:
 Simon Steiner



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST-NAMED APPLICANT	ATTY. DOCKET NO.
10/552,355	Martin Daferner	710.1032

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RECEIVED
 U.S. PATENT AND TRADEMARK OFFICE
 DEC 11 2006
 DAVIDSON, DAVIDSON & KAPPEL

INTERNATIONAL APPLICATION NO.	
PCT/EP04/01732	
I.A. FILING DATE	PRIORITY DATE
02/21/2004	04/09/2003

CONFIRMATION NO. 2370
 371 FORMALITIES LETTER



OC000000021526047

Date Mailed: 12/08/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/06/2005
- Copy of the International Search Report filed on 10/06/2005
- Information Disclosure Statements filed on 10/06/2005
- U.S. Basic National Fees filed on 10/06/2005
- Priority Documents filed on 10/06/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$450 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Processing fee of \$130 for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the

WCG/CSK/KPC/COP

missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$710** for a Large Entity:

- **\$130** Surcharge.
- **\$130** for English translation surcharge required.

- Total additional claim fee(s) for this application is **\$ 450**
 - **\$450** for 9 total claims over 20.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

DEBORAH D WILLIAMS

Telephone: (703) 308-9140 EXT 205

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/552,355	PCT/EP04/01732	710.1032

FORM PCT/DO/EO/905 (371 Formalities Notice)